

Tariff Schedule

Applicable To

Kentucky

Interexchange Telephone Communications

of

ASC Telecom, Inc.

(D)

**ISSUED:**  
07-07-05

ASC Telecom, Inc.  
6450 Sprint Parkway  
Overland Park, KS 66251

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
7/11/2005  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)

By  **FIVE:**  
-11-05 (D)  
Executive Director

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Executive Director 07-11-05 (D)

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EXPLANATION OF SYMBOLS

When changes are made on any tariff sheet, a revised page will be issued canceling the tariff page affected; such changes will be identified through the use of the following symbols:

- (C) - To signify changed regulation or rate.
- (D) - To signify the Deletion/Discontinuance of rates, regulations, and/or text.
- (I) - To signify an Increase.
- (M)- To signify matter Moved/Relocated within the tariff with no change to the material.
- (N) - To signify New text, regulation, service, and/or rates.
- (R) - To signify a Reduction.
- (T) - To signify a Text Change in tariff, but no change in rate or regulation.
- (Z) - To signify a correction.

The above symbols will apply except where additional symbols are identified at the bottom of an individual page.

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.1 APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable for the furnishing of telecommunications services provided by ASC Telecom, Inc. between and among points within the state.

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2. TERMS AND CONDITIONS.1 Definitions

Certain terms used generally throughout this tariff for services furnished by the Carrier are defined below.

Carrier - Company

The terms "Carrier and Company" refer to ASC Telecom, Inc. unless they refer specifically to the Local Exchange Company (LEC).

Day

The term "Day" denotes 8:00 a.m. to 4:59 p.m. local time at the originating terminal on Monday through Friday.

End User

Any person, firm, corporation, partnership or other entity which uses the services of the Carrier under the provisions and regulations of this tariff. The End User is responsible for payment unless the charges for the services utilized are accepted and paid by another Customer.

Evening

The term "Evening" denotes 5:00 p.m. to 10:59 p.m. local time at the originating terminal on Sunday through Friday.

Holidays

The term "Holidays" denotes all Carrier specified holidays as follows: Carrier specified holidays are: New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. The evening rate shall apply on Carrier-specified holidays from 8:00 AM to 11:00 PM, except when a lower rate would normally apply.

Night

The term "Night" denotes 11:00 p.m. to 7:59 a.m. local time at the originating terminal on Monday through Friday, any time on Saturday, Sunday 8:00 a.m. to 4:59 p.m. and 11:00 p.m. to 7:59 a.m.

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2. TERMS AND CONDITIONS (Continued)

.2 Undertaking of the Carrier

The Company undertakes to provide 24-hour intrastate, interstate and international long distance telephone service, subject to the availability of facilities, in accordance with the terms and conditions set forth in this tariff.

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2. TERMS AND CONDITIONS (Continued).3 Limitation of Liability.1 Liability of the Carrier

The liability of Carrier, if any, for damages arising out of mistakes, omissions, interruptions, delays, errors, or defects in transmission during the course of furnishing service shall in no event exceed an amount equivalent to the charge to Customer for the service during which such mistakes, omissions, interruptions, delay, errors, or defects in transmission occurred. However, any such mistakes, omissions, interruptions, delays, errors, or defects in transmission or service which are caused by or contributed to by the negligence or willful act of customer, or which arise from facilities or equipment used by Customer, shall not result in the imposition of any liability whatsoever upon Carrier. Carrier is not liable for the quality of service provided by any local exchange carrier. Carrier is not liable for any act, omission or negligence of any local exchange carrier or other provider whose facilities are used in furnishing any portion of the service received by Customer. Under no circumstances whatever shall Carrier or its officers, agents, or employees be liable for indirect, incidental, special or consequential damages. Carrier shall not be liable for any failure of performance hereunder due to causes beyond its control, including but not limited to civil disorders, labor problems, and fire, flood, atmospheric conditions or other phenomena of nature, such as radiation. In addition, Carrier shall not be liable for any failure of performance hereunder due to necessary network reconfiguration, system modifications due to technical upgrades, or regulations established or actions taken by any court or government agency having jurisdiction over Carrier.

.2 Overpayment

The Carrier shall not be obligated to refund any overpayment by a user unless a written claim for such overpayment, together with substantiating evidence which will allow Carrier to verify such claim, is submitted within two (2) years from the date of the alleged overpayment.

.3 Disclaimer of Warranties

Except as expressly provided in this tariff, Carrier makes no understanding, agreements, representations or warranties, expressed or implied (including any regarding the merchantability or fitness for a particular purpose).

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## 2. TERMS AND CONDITIONS (Continued)

### .3 Limitation of Liability (Continued)

#### .4 Refunds for Interruption or Impairment to Carrier Service

It shall be the obligation of the customer to immediately notify the Carrier of any service interruption. In the event of foreknowledge of an interruption of service by the Carrier, for a period exceeding 24 hours, the customer will be notified in writing, by mail, at least one week in advance.

#### .4 Use of Service

Neither subscribers nor their authorized users may use the services furnished by the Carrier for any unlawful purpose.

#### .5 Customer Application for Service

Service requests will be honored by telephone and/or through telephone confirmation with the local exchange company.

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#### .6 Establishment of Credit

Carrier reserves the right to examine the credit record and check the references of all applicants and customers.

#### .7 Deposits and Advance Payments

Carrier does not collect deposits or advance payments at this time.

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2. TERMS AND CONDITIONS (Continued)

.8 Rendering and Payment of Bills

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- .1 Billing periods are monthly.
- .2 The billing date is dependent on the billing cycle assigned to the customer.
- .3 Bills are due and payable as the Local Exchange Carrier dictates. Additional fees for late payment may be assessed as determined by the Local Exchange Carrier.
- .4 Bills may be paid by mail or in person at the business offices of the Local Exchange Carrier. All charges for service are payable only in United States currency. Payment may be made by cash, check, money order, or cashier's check.
- .5 Carrier is not responsible for local telephone charges incurred by Customer in gaining access to Carrier's network.
- .6 Connection fees and usage and monthly access fees are billed in arrears.
- .7 The customer will be billed for and is liable for payment of all applicable federal, state and local taxes and surcharges.

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2. TERMS AND CONDITIONS (Continued)

.8 Rendering and Payment of Bills (Continued)

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2. TERMS AND CONDITIONS (Continued).9 Discontinuance of Service

Service continues to be provided until canceled by Customer in writing, or until canceled by Carrier as set forth below.

.1 Cancellation by Customer

Customer may have service discontinued 30 days after giving notice to Carrier. Carrier will hold customer responsible for payment of all bills for service furnished until the cancellation date specified by the customer or until 30 days after the cancellation notice is received.

.2 Cancellation by Carrier

Carrier may immediately discontinue service or cancel any application for service without incurring any liability when there is an unpaid bill for any sum due to the Carrier for service that is more than 30 days beyond the date of issue.

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2. TERMS AND CONDITIONS (Continued)

.9 Discontinuance of Service (Continued)

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2. TERMS AND CONDITIONS (Continued).10 Continuity of Service

In the event of foreknowledge of an interruption of service for a period exceeding 24 hours, the customer will be notified in writing, by mail, at least one week in advance.

.11 Adjustment for Municipality Payments

When any municipality, other political subdivision, local agency of government, or the Kentucky Public Service Commission imposes upon and collects from ASC, a gross receipts tax, occupation tax, license tax, permit fee, franchise fee or regulatory fee, such taxes and fees shall, insofar as practicable, be billed pro rata to the ASC customers receiving service within the territorial limits of such municipality, other political subdivision, local agency of government, or public service commission.

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.12 Demonstration of Calls

From time to time the company shall demonstrate service by providing free test calls of up to four minutes duration over its network.

.13 Fees

No fees are collected from the end user in addition to the charges as specified in Section 4.

.14 Commissions

No commissions are collected from the end user in addition to the charges specified in Section 4.

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3. SERVICE AND RATE DESCRIPTION

(D)

.1 Debit Card Service\*\*

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The ASC Telecom Debit Card allows customers to pay a fixed dollar amount in advance for long distance calling over ASC Telecom's network. Customers use an "800" number for access from touch tone phones. Customers can place domestic and international direct dial calls using the service. Cards are decremented for each minute or fractional minute of use as set forth below. As calls are placed, charges for the call are deducted on a real time basis until the full amount of the card is exhausted. Customers will be notified in advance of the exhaustion of the card. An expiration date, if applicable, is printed on the card. The rates paid by the customer until the card is exhausted are the rates in effect at the time the card is purchased. Debit Card accounts may be replenished at the rates specified for replenished cards.

The following types of calls may not be completed using the ASC Debit Card:

- \* calls to 700, 800, and 900 numbers
- \* calls to directory assistance
- \* operator assisted calls
- \* conference calls
- \* calls requiring time and/or charges

The ASC Debit Card is available twenty-four hours a day, seven days a week. The cards will be offered to customers on a first serve basis and may be offered in conjunction with other ASC products.

\*\* Effective September 17, 1998 Debit Card Service (prepaid cards) will no longer be available to new customers.

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3. SERVICE AND RATE DESCRIPTION (Continued)

(D)

.1 Debit Card Service\* (Continued)

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.1 Original Purchase Debit Card Accounts

An ASC Telecom Debit Card account is established upon receipt of payment by the Company. When an original purchase account is established, the Company will assign an Account Code/Authorization Code to the account. The Company reserves the right to determine the acceptable types of payment. Original purchase accounts are available for use at the rates as set forth in Section 4.1 of this tariff.

1 intrastate minute of use = 1 unit

.2 Replenishment of Debit Card Accounts

An ASC Telecom Debit Card account may replenished via an "800" number. To replenish an existing Debit Card account, the customer must use a commercial credit card. The Company reserves the right to determine the acceptable types of credit cards. Replenished accounts are available for use at the rates as set forth in Section 4.1 of this tariff.

\* Effective September 17, 1998 Debit Card Service (prepaid cards) will no longer be available to new customers.

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3. SERVICE AND RATE DESCRIPTION (Continued)

(D)

.2 Operator Services<sup>1</sup>

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Operator Services are available from specific locations within the state, for a charge.

Access to Operator Service can be obtained by the following dialing methods.

- "00" from a telephone subscribed to ASC in a FGD area.
- "0 + (NPA-NXX-XXXX)" from a telephone subscribed to ASC in a FGD area.
- "10252" + "0" + from an ASC or non-ASC subscribed telephone in a FGD area.

ASC provides the service of connecting customers to a nationwide Directory Assistance operator for a per-call charge as described in Section 4 of this tariff for intrastate information requests. Customers can receive up to two numbers per request. The fee applies whether or not the Directory Assistance operator furnishes the requested telephone number(s), e.g., the requested telephone number is unlisted, non-published or no record can be found. Requests for information other than telephone numbers will be charged for as requests for telephone numbers.

A credit allowance for Directory Assistance will be provided upon request if a customer experiences poor transmission quality, is cut-off, receives an incorrect telephone number, or misdials the intended Directory Assistance number.

When an ASC Operator assists with a Directory Assistance call the charges as set forth in Section 4.1.2.2 will apply.

<sup>1</sup> Effective July 11, 2005, Operator Services will no longer be available to new customers.

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Commonwealth of Kentucky Tariff P.S.C. No. 1

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3. SERVICE AND RATE DESCRIPTION (Continued)

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4. USAGE RATES

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.1 Debit Card Service\*.1 Original Purchase Debit Card Accounts

| <u>Card Value</u> | <u>Usage<br/>Rate</u> |
|-------------------|-----------------------|
| \$05.00           | \$.33                 |
| \$10.00           | \$.33                 |
| \$20.00           | \$.32                 |
| \$50.00           | \$.29                 |

.2 Replenishment of Debit Card Accounts

| <u>Card Value</u> | <u>Usage<br/>Rate</u> |
|-------------------|-----------------------|
| \$05.00           | \$.33                 |
| \$10.00           | \$.33                 |
| \$20.00           | \$.32                 |
| \$50.00           | \$.29                 |

\* Effective September 17, 1998 Debit Card Service (prepaid cards) will no longer be available to new customers.

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4. USAGE RATES (Continued)

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.2 Operator Services<sup>1</sup>

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Operator Services are available twenty four (24) hours a day, seven (7) days a week. Calls that begin in one rate period and terminate in another rate period will be prorated accordingly.

.1 Operator Service Usage Rates\*

| <u>Mileage</u> | <u>Initial Minute</u> |                |                           | <u>Additional Minute</u> |                |                           |
|----------------|-----------------------|----------------|---------------------------|--------------------------|----------------|---------------------------|
|                | <u>Day</u>            | <u>Evening</u> | <u>Night/<br/>Weekend</u> | <u>Day</u>               | <u>Evening</u> | <u>Night/<br/>Weekend</u> |
| 0-10           | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 11-16          | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 17-22          | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 23-30          | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 31-55          | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 56-85          | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 86-124         | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 125-196        | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 197-292        | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |
| 293+           | .6900                 | .6900          | .6900                     | .6900                    | .6900          | .6900                     |

\* Each fractional call is rounded up to the next minute.

<sup>1</sup> Effective July 11, 2005, Operator Services will no longer be available to new customers. (N)

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4. USAGE RATES (Continued).2 Operator Services<sup>1</sup> (Continued)

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## .2 Operator Service Call Placement Charges

| <u>CLASS OF SERVICE</u>               | <u>CALL PLACEMENT CHARGE</u>                                      |
|---------------------------------------|---|
| Station-to-Station                    | \$ 3.95   |
| Person-to-Person                      | \$ 8.45   |
| Collect Station-to-Station            | \$ 3.95   |
| Collect Person-to-Person              | \$ 8.45   |
| Third-Party Billing                   |   |
| .1 Station-to-Station                 | \$ 3.95   |
| .2 Person-to-Person                   | \$ 8.45   |
| LEC Calling Card*                     |   |
| .1 Operator Dialed Station-to-Station | \$ 3.95   |
| .2 Customer Dialed Station-to-Station | \$ 3.95   |
| .3 Person-to-Person                   | \$ 8.45   |
| Directory Assistance Direct Dial      | \$ 0.85   |
| Operator-Dialed Surcharge**           | \$ 1.50   |
| Busy Line Verification***             | See Sprint's<br>Commonwealth of KY Tariff<br>No. 4, Section 5.6.2 |
| Emergency Interruption***             | See Sprint's<br>Commonwealth of KY Tariff<br>No. 4, Section 5.6.2 |

\* ASC Telecom, Inc. accepts only cards which it can identify as valid. Usage and Call Placement Charges for LEC Calling Card calls appear on the LEC bill for both ASC Telecom, Inc. and non-ASC Telecom, Inc. subscribers.

\*\* This surcharge applies in addition to all Station-to-Station and Person-to-Person Operator Service charges when the customer has the ability to dial all the digits necessary for call completion but dials instead "0", "00-", or 10252 + "0" to reach the ASC Telecom, Inc. operator to have the operator complete the call. The surcharge will be applied to all Operator Service calls completed by an operator except for 1) calls which cannot be completed by the customer due to equipment failure or trouble on the ASC Telecom, Inc. network; or 2) when a LEC Calling Card is used from a payphone.

\*\*\* The Busy Line Verification charge applies when ASC Telecom, Inc. provides operator assistance to determine if there is an ongoing conversation at a called station. The Emergency Interruption surcharge applies in addition to the Busy Line Verification charge when ASC Telecom, Inc. provides operator assistance to interrupt an ongoing conversation, regardless of whether the interruption is successful.

<sup>1</sup> Effective July 11, 2005, Operator Services will no longer be available to new customers.

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07-07-05

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6450 Sprint Parkway  
Overland Park, KS 66251

By  **FIVE:**  
11-05 (D)  
Executive Director

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OF KENTUCKY**  
**EFFECTIVE**  
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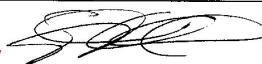
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5. PROMOTIONAL OFFERINGS

The Carrier may from time to time engage in special promotional service offerings designed to attract new customers or to increase existing customer's awareness of a particular tariff offering. These offerings may be limited to certain dates, times and/or locations.

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Executive Director 07-11-05 (D)